

## **CITY OF BELMONT**

### **PLANNING COMMISSION**

#### **ACTION MINUTES**

**TUESDAY, JANUARY 20, 2009, 7:00 PM**

Chair Parsons called the meeting to order at 7:00 p.m. at One Twin Pines Lane, City Hall Council Chambers.

#### **1. ROLL CALL**

Commissioners Present: Parsons, Horton, McKenzie, Mercer, Mayer, Reed, Frautschi  
Commissioners Absent: None

Staff Present: Community Development Director de Melo (CDD), Senior Planner DiDonato (SP), City Attorney Zafferano (CA), Acting Recording Secretary Tompkins (ARS)

#### **2. AGENDA AMENDMENTS - None**

#### **3. COMMUNITY FORUM (Public Comments) - None**

#### **4. CONSENT CALENDAR**

#### **4A. Minutes of December 2, 2008 and December 16, 2008**

MOTION: By Commissioner Mercer, seconded by Commissioner Mayer, to accept the Minutes of Tuesday, December 2, 2008 and Tuesday, December 16, 2008 as presented.

Ayes: Mercer, Mayer, McKenzie, Frautschi, Reed, Horton, Parsons  
Noes: None

Motion passed 7/0

#### **5. OLD BUSINESS:**

5A. Final Landscape and Hardscape Plan – 2003 Forest Avenue  
CDD de Melo summarized the Staff Memorandum as prepared by Associate Planner Walker.

After discussion with Lillian Wu, project architect, Commissioner Mercer suggested that she consider the effect heavy rain water will have on the type of pavers and plants used at the street level.

Responding to Commissioner Mercer's question regarding the City code pertaining to circular driveways, CDD de Melo stated that if the driveway was established with two connection points prior to 1996, it is allowed to remain. He agreed to check the files to determine when the driveway was actually constructed.

Responding to Commissioner Mayer, Ms. Wu stated that the asphalt pavement of the driveway will be resurfaced as part of this project.

Responding to Commissioner Frautschi's concerns, Ms. Wu agreed that the proposed lawn should be at least 6' away from the border of the Oak tree trunk, and that the 8' fence will need to be lowered to 6'.

In response to Chair Parsons' question regarding how many of each shrub species will be planted, Ms. Wu stated that plants will only be used in the planter in front of the house.

Commissioner Mercer expressed her disappointment that the applicant did not take a more thoughtful approach to the design of the driveway, since the extra opening at the bottom is not needed for safety reasons and does not serve any purpose. If it has to remain, then her concern is that the landscape pavers not be used at the gutter level because a heavy rain would wash out any grass or gravel.

MOTION: By Commissioner Mayer, seconded by Commissioner McKenzie, to adopt the Resolution approving a Final Landscape/Irrigation Plan for 2003 Forest Avenue (Appl. No. 2008-0045) with the added conditions that: 1) the present configuration of the driveway consisting of two openings be investigated and corrected if necessary; 2) the pavers at the street level be converted to solid pavers rather than the open style; 3) the fence height on both sides be brought into conformity with the code, and 4) the central portion of the driveway will be resurfaced as a part of the project.

Ayes: Mayer, McKenzie, Mercer, Reed, Parsons

Noes: None

Abstain: Frautschi, Horton

Motion passed 7/0/2

Chair Parsons announced that this item can be appealed within 10 calendar days.

## 6. PUBLIC HEARINGS:

### 6A. PUBLIC HEARING – 20 and 24 Elder Drive

To consider a Design Review Permit for 1,000 cubic yards of grading associated with the repair of a landslide and reconstruction of drainage facilities. This is an after-the-fact review, as the slide was repaired under an emergency Grading Permit issued by the Department of Public Works in November 2008. (Appl. No. 2008-0058)

APN(s): 045-443-070 and 045-443-060; Zoned: PD (Planned Unit Development)

CEQA Status: Statutory Exemption, Section 15269

APPLICANT(s): Warren Leslie and Lester Boeh

OWNER(s): Warren Leslie and Lester Boeh

PROJECT PLANNER: Damon DiDonato, (650) 637-2908

SP DiDonato summarized the Staff Report, recommending approval with the Conditions attached and the additional condition recommended by Commissioner Frautschi requiring that the owner maintain the v-ditch in good repair and clear of debris for the lifetime of the properties. This condition would be required of all future property owners to insure that future slides are not caused by failure of the v-ditch to carry water off the hill.

Discussion ensued regarding how this issue should have been handled, with CA Zafferano interjecting that staff was involved at all levels in most of the phases of the project. There was a lot of interaction with the property owners because it affected public facilities and there was a question about whether the City might bear some responsibility. There was quite a bit of work that went into it before the owners determined that this was the best solution for them under the circumstances.

Responding to Commissioner Mercer's question, SP DiDonato stated that the 1000 cubic yards of fill was taken out and put back in, and that it was benched and geo-grids were placed within the hill to stabilize it.

Chair Parsons questioned why this project was not brought to the attention of the Planning Commission earlier instead of after the fact, in case the Commission or neighbors had some ideas about how to deal with it. He asked that this concern be passed on to other staff.

Commissioner Mercer questioned whether a hillside like the one under discussion is better stabilized with large trees or if it is more unstable with large trees. SP DiDonato believed that it would depend on the depth of the slide area but agreed that the question should be deferred to a soils engineer and that staff could do some research on this issue.

Warren Leslie, one of the homeowners, gave background information on the construction, maintenance and repair of the property.

Commissioner Reed thanked the owners for returning the property to its natural state but was surprised that the slide occurred in 2005 and an emergency repair was not done until 2008. He concurred with Chair Parsons that it might have been wise to have had Planning Commission review prior to doing the work but thought the homeowners did a "bang up" job.

Mr. Leslie returned to the podium and explained the delay in getting the work done, and added that he had contacted Public Works in 2006 and had asked for a meeting with them in July 2008.

Commissioner Frautschi commented that when Public Works looks at a project, a landscape plan never occurs to them – there's no analysis about its effect on certain issues that the Planning Commission looks at – and he did not know how to remedy that problem. He reiterated his reasons for asking for the additional Condition 7 as discussed by SP DiDonato.

Commissioner Mayer commented that he prefers the look of the homes on either side of the property where trees and shrubbery are growing, but could accept the project given the effort and expense the owners had put into it.

Mr. Leslie responded that he had tried to follow a Sunset Magazine technique by planting a few Oak trees in the middle of the slide but it didn't take. He felt that to start digging holes in the compacted soil now would just cause further erosion. He added that keeping the v-ditch maintained is in the CC&R's of the development.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Commissioner Frautschi, seconded by Vice Chair Horton, to close the Public Hearing. Motion passed 7/0 by a show of hands.

MOTION: By Commissioner McKenzie, seconded by Commissioner Frautschi, adopting the Resolution approving a Single-Family Design Review at 20 and 24 Elder Drive (Appl. No. 2008-0058) (APN's 045-443-060 and 045-443-070) and the added condition that the owner be required to maintain the v-ditch.

Ayes: McKenzie, Frautschi, Mercer, Mayer, Reed, Horton, Parsons  
Noes: None

Motion passed 7/0

Chair Parsons announced that this item can be appealed to City Council within 10 calendar days.

#### 6B. PUBLIC HEARING – 1100 El Camino Real

To consider a Conditional Use Permit and Design Review to modify an existing T-mobile Wireless Telecommunications facility by replacing two existing panel antennas and installing one new panel antenna (three antennas total) located entirely within the Safeway clock tower.

Application Number: 2008-0053; APN: 045-183-100; ZONING: C-2 General Commercial

CEQA Status: Recommended Categorical Exemption per Section 15303 (e)

APPLICANT: Tim Woloshyn of RWR Wireless, on behalf of T-Mobile

OWNER: Safeway, Inc.

PROJECT PLANNER: Jennifer Walker, (650) 595-7453

CDD de Melo summarized the Staff Report. He called attention to recommended modified conditions of approval that had been placed on the dais and reviewed the proposed changes.

Discussion ensued regarding the lack of records approving the original antennas for T-Mobile at this site. Dave Kirk, representing T-Mobile, then explained that the original installation was approved in 2002, at which time it was jointly owned by Cingular and PacBell. In January 2005 T-Mobile took controlling interest in that network – the only thing that changed is the names on the paperwork. The paperwork showing the change in ownership was not filed with the City until this current application to modify the facility.

Responding to Commissioner Mercer's questions, Mr. Kirk commented as follows:

- There are currently four antennas on two sectors. The proposal is to remove all four antennas on those two sectors and install one antenna on each of those sectors and add a third sector pointing out towards the El Camino Real and Ralston intersection. There will then be one antenna on three of the four corners of the tower, the end result will be three antennas.
- The only thing on the outside of the clock tower is a GPS antenna, which is a requirement for 911 purposes on every wireless site in the country.
- He displayed propagation maps on his laptop, which showed an increase in in-building and in-car coverage in the region, which is the ultimate goal and the real challenge in the industry.
- All equipment cabinets remain the same so there will not be any increase in audible noise due to this change.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Commissioner Frautschi, seconded by Vice Chair Horton, to close the Public Hearing. Motion passed 7/0 by a show of hands.

Commissioner Mercer asked that the Staff Report be updated for the record to show that four antennas are being taken out and replaced with three, that the name change is documented, and that the coverage maps be included in the documentation.

MOTION: By Commissioner Frautschi, seconded by Commissioner McKenzie, to adopt a Resolution approving a Conditional Use and Design Review at 1100 El Camino Real (Appl. No. PA2007-0006), with Exhibit A, Modified Conditions of Project Approval, and with all the specifics laid out by Commissioner Mercer.

Ayes: Frautschi, McKenzie, Mercer, Mayer, Reed, Horton, Parsons  
Noes: None

Motion passed 7/0

Chair Parsons announced that this item can be appealed to City Council within 10 calendar days.

## 7. NEW BUSINESS:

### 7A. Priority Calendar – Spring 2009

CDD de Melo reviewed the Staff Memorandum, noting that the purpose at this meeting is to review the current list of projects and discuss any new items the Commission would like to add to the list for Council ranking. He called attention to an email received from Commissioner Frautschi offering seven new ideas for inclusion in the Priority Calendar.

Commissioner Mercer asked for clarification in reconciling the items listed in Attachment B of the Staff Memorandum with the Priority Calendar items as listed in the Monthly Wrap.

Commissioner Frautschi's emailed Memorandum of January 20th listed the following seven topics for consideration:

- Attracting additional businesses to Belmont
- Edit cellular antenna findings
- Garage configuration requirements
- Art in public places policy
- Scenic corridors initiative
- Business license requirement for residential rental properties
- Record unregistered secondary units

Commissioner Frautschi reviewed each item and explained his rationale for including them.

Regarding the garage requirements, Vice Chair Horton commented that she hoped that when the General Plan is reworked, neighborhoods are identified and their characters preserved. She was not sure they can

write something so specific that covers all neighborhoods and lots. Regarding public art, she stated that she would want to include language that would require commercial developers to provide public art.

CDD de Melo described projects that are already underway in the Finance Department, City Manager's Office, Code Enforcement, and by the Housing Specialist that relate to Commissioner Frautschi's suggestions, noting that they could still be added to the Community Development Priority Calendar for ranking purposes.

Regarding parking requirements, Chair Parsons commented that he would like to include a standard for the percentage of paving allowed in front yards. He would also like to see the addition of regulations regarding the proliferation of cable boxes and/or the removal of outdated equipment in neighborhoods.

Vice Chair Horton suggested a handout for the public regarding federal, state and local regulations, however, CA Zafferano noted that the laws change rapidly, both with respect to court cases and what other cities are doing in terms of best practices.

Responding to Commissioner McKenzie's question as to the status of the Grand Boulevard Initiative, CDD de Melo explained the project to date, concluding that he continues to work on a subcommittee along with other regional planners, and adding that it should remain on the calendar as there is always the possibility of funding from new Federal or State stimulus packages.

Commissioner McKenzie proposed the following projects for consideration:

- A downtown area master sidewalk renewal program to take care of uprooted trees that are lifting the sidewalks and the discoloration of the sidewalks.
- As a companion to the Harbor Industrial Area annexation, a Harbor Industrial Area development master plan, like a downtown master plan. He believed that if nobody knows what is intended for the area, it is difficult to generate interest on the part of the Council, Commission or property owners in the area. He believes a plan is needed or they should forget about annexation.
- The City needs to prepare in advance for the traffic impact of the huge Palo Alto medical facility that is being built and that will be a huge traffic- builder.

Vice Chair Horton added that zoning for medical office buildings associated with the Palo Alto medical foundation will also need to be considered; there are some locations where they are currently permitted but they may not be deemed appropriate

Responding to Commissioner Reed's question, CDD de Melo stated that if Commissioners have some items to add to the list they could be emailed to him and he would add them to the list of possible projects.

Responding to Commissioner Mayer's question regarding the success of the Priority Calendar process, CDD de Melo explained why every idea is important and the value of documenting the ideas and trying to move them forward. Chair Parsons added that there is value in having a list due to the fact that council people, commissioners and staff change over time so that setting priorities keeps them in front of everybody like a continuum.

Commissioner Mercer commented as follows:

- Concurred with Commissioner Frautschi's recommendations regarding legalizing secondary units and licensing rental properties as a business.
- Endorsed an amnesty program.
- Regarding residential parking, they need to spell out what is allowed and what is not allowed for hardscape in front yards.
- Ordinance 9.5.4 says that in residential districts the non-habitable utility building can cover up to 40% of a required yard area. That needs to be addressed.
- Some additional parking should be triggered when looking at residential secondary units.
- Need a standard for how much cut and fill is allowed.
- Need someone in the City or on staff who is chartered to recruit businesses – i.e., an economic development manager. She believed this effort would pay for itself in business revenue.

Chair Parsons suggested the addition of an item that would provide a plan for maintenance of property at the edges and borders of the City. North Road especially needs to be dealt with.

8. REPORTS, STUDIES AND UPDATES:  
CDD de Melo reported as follows:

8A. Motel 6 – 1101 Shoreway Road

No update, other than that staff continues to meet with the property owner regarding potential development ideas for the Motel 6 property as part of the Shoreway Place development.

8B. NDNU (Koret) Athletic Field

It is time to get the task force together. Will have an update at the next meeting.

8C. Charles Armstrong School – 1405 Solana Drive

A neighborhood meeting with City staff, neighborhood and school board is scheduled for Tuesday, 1/27, in the EOC from 4:30 to 6 p.m.

8D. Ralston/US-101 Landscape Project

Reported at last meeting that priority elevated to City Manager level. Redwood City is working with their Public Works Department to potentially get the project started in the Spring.

8E. San Mateo Development – North Road/43rd Avenue

Chair Parsons suggested that he and CDD de Melo schedule a trip next week.

8F. 900 Sixth Avenue – Belmont Vista Facility

Made contact with the property owner and had inspected it that day. Owner indicated that she has met with a landscape contractor and expects replacement trees within about 30 days. Commissioner Frautschi added that the second part of the issue is a large sign that is on City property on top of Hill Street.

8G. Caltrain Landscape Area

Parks and Rec staff is continually working with the Caltrain landscaper, with little success in having them look at soil amendments or modifying the schedule for the sprinklers. There is an issue related to a changeover over of contractors. CDD de Melo believes this issue needs to be elevated to a Joint Powers Authority perspective. Commissioner Frautschi added that there are 6 dead trees on the property.

8H. Vancea Auto – 900 Ralston Avenue Hill and El Camino Real

No update. Hopes to have something in two weeks. (The address of Vancea Auto needs to be corrected to show it is at the corner of Hill and El Camino Real.)

8I. Parking Study – Downtown Village Areas

Staff will start counting available parking spaces next week and will get some feedback to the Commission in terms of what is available. Commissioners commented that weekends need to be included in the study.

Other Items

Commissioner Mercer asked that the CalTrans area at the interchange of Highway 92 at the top of Ralston be cleaned of trash, broken glass and weeds growing through the concrete. Since the area is not in Belmont, this item should be referred to the County.

Chair Parsons asked that staff be aware that the gas station at the corner of Ralston and Sixth Avenue may be parking vehicles in the City Hall parking lot.

Chair Parson had complaints regarding a storage tent in a driveway in his neighborhood. He will relay the address to staff.

CDD de Melo asked the Commission to keep checking their Belmont email. One item forthcoming is regarding the appointment of Commissioners. Two Commissioners' terms will expire March 1st and applications need to be turned in to the City Clerk by the end of January. Another item is the Commission Appreciation Dinner scheduled for February 27th at the Iron Gate.

8. CITY COUNCIL MEETING OF TUESDAY, JANUARY 27, 2009

Liaison: Vice Chair Horton

Alternate Liaison: Commissioner Frautschi

9. ADJOURNMENT:

The meeting was adjourned at 9:15 p.m. to a Regular Planning Commission Meeting on Tuesday, February 3, 2009 at 7:00 p.m. in Belmont City Hall.

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Carlos de Melo

Planning Commission Secretary

CD's of Planning Commission Meetings are available in the  
Community Development Department.

Please call (650) 595-7416 to schedule an appointment.